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6
7 **UNITED STATES DISTRICT COURT**
8
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 vs.
13 LAMALSKIOU LOWE,
14 Defendant.

CASE NO.: 2:14-cr-0004-JAD-VCF
**STIPULATION TO CONTINUE
SENTENCING**
(FIRST REQUEST)

15 IT IS HEREBY STIPULATED AND AGREED, by Defendant LAMALSKIOU
16 LOWE, by and through his attorney, LUCAS J. GAFFNEY, ESQ., and the United States of
17 America, by and through LISA CARTIER-GIROUX, Assistant United States Attorney, that
18 the sentencing hearing currently scheduled for May 18, 2015 at the hour of 1:30 p.m. be
19 vacated and continued at least 30 days to a date and time which is convenient to this
20 Honorable Court. The request for a continuance is based upon the following:

- 21
- 22 1. The additional time requested by this Stipulation to Continue Sentencing Hearing is
23 reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the “court may,
for good cause, change any time limits prescribed in this rule.”
- 24 2. Defense counsel needs additional time to gather information pertinent to sentencing
25 factors under 18 U.S.C. § 3553(a) in order to determine whether a variance may be
warranted for the Defendant.
- 26 3. Defense counsel has spoken to LAMALSKIOU LOWE who is currently in custody
27 and he has no objection to the continuance.

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- 1 4. Defense counsel has spoken to Assistant United States Attorney, LISA CARTIER-
2 GIROUX, and the Government has no objection to the continuance.
3 5. The parties request that LAMALSKIOU LOWE's sentencing date be reset for a time
4 at least thirty (30) days from May 18, 2015.
5
6 6. The additional time requested herein is not sought for the purposes of delay.
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8 7. Denial of this request for a continuance would deny the defendant, LAMALSKIOU
9 LOWE, effective assistance of counsel during sentencing.
10 8. Additionally, denial of this request for a continuance could result in a miscarriage of
11 justice.

12 This is the first stipulation to continue sentencing filed herein.

13 DATED: May 12, 2015

14 Respectfully submitted,

15 _____
16 */s/ Lucas Gaffney* _____
17 LUCAS J. GAFFNEY, ESQ.
18 Oronoz & Ericsson, LLC
19 700 South Third Street
20 Las Vegas, Nevada, 89101
21 Attorney for Lamalskiou Lowe

22 _____
23 */s/ Lisa Cartier-Giroux* _____
24 LISA CARTIER-GIROUX
25 333 Las Vegas Blvd. South, Suite 5000
26 Las Vegas, Nevada, 89101
27 Attorney for the United States of America

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(FIRST REQUEST)

15 **FINDINGS OF FACT**

16 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
17 Court finds:

- 18
- 19 1. The additional time requested by this Stipulation to Continue Sentencing Hearing is
20 reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the “court may,
for good cause, change any time limits prescribed in this rule.”
- 21 2. Defense counsel needs additional time to gather information pertinent to sentencing
22 factors under 18 U.S.C. § 3553(a) in order to determine whether a variance may be
warranted for the Defendant.
- 23 3. Defense counsel has spoken to LAMALSKIOU LOWE who is currently in custody
24 and he has no objection to the continuance.
- 25 4. Defense counsel has spoken to Assistant United States Attorney, LISA CARTIER-
26 GIROUX, and the Government has no objection to the continuance.
- 27 5. The parties request that LAMALSKIOU LOWE’s sentencing date be reset for a time
28 at least thirty (30) days from May 18, 2015.

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3 7. Denial of this request for a continuance would deny the defendant, LAMALSKIOU
4 LOWE, effective assistance of counsel during sentencing.
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6 8. Additionally, denial of this request for a continuance could result in a miscarriage of
7 justice.

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9
10 **CONCLUSION OF LAW**

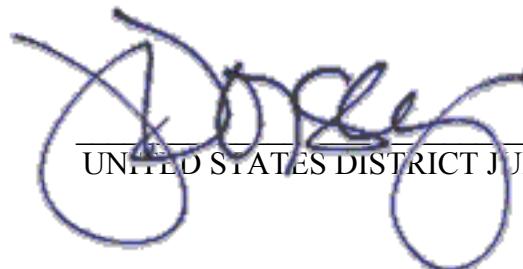
11 The ends of justice served by granting said continuance outweigh the best interests of
12 the public and the defense in a speedy trial, since the failure to grant said continuance would
13 be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the
14 opportunity within which to be able to effectively and thoroughly prepare for sentencing,
15 taking into account the exercise of due diligence.

16 **ORDER**

17 IT IS THEREFORE ORDERED that the Sentencing date in this matter scheduled for May 18,
18 2015, be vacated and continued to Wednesday, June 24, 2015, at 9:00 a.m.

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21 DATED AND DONE this 12th day of May, 2015.

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UNITED STATES DISTRICT JUDGE